



Shrewsbury Public Schools

Office of Special Education
Pupil Personnel Services
15 Parker Road, Shrewsbury, MA 01545

Melissa Maguire, Director
Special Education and Pupil Personnel Services

Phone: 508-841-8660
Fax: 508-841-8661

EXTENDED YEAR SERVICES

The following document, based on the Department of Education's Question and Answer Guide on Special Education Extended School Year Programs—603 CMR 28.05(4)(d), outlines the policies and procedures for ESY programs at the preschool level. For more information go to the DOE Q & A Guide at:

http://www.doe.mass.edu/pqa/ta/esyp_qa.html.

At least once annually, Teams must consider a child's eligibility for ESY programs and services. Decisions about ESY programs must be made on an individual basis, taking into consideration the unique needs of the child. When considering eligibility for ESY, first explain and discuss the following to/with the Team:

- All children "regress"--lose progress, forget, revert to previous behavior--to some extent between school years.
- It must be determined whether a child's regression would likely be **substantial**, and whether the child would **require a greater than usual time (approx. 4-8 weeks) to "recoup"**--to get back to the level the child had achieved before a break in service.

From: *Department of Education's Question and Answer Guide on Special Education Extended School Year Programs*

How is the concept of "recoupment" used by a Team in determining the need for extended school year programming?

The Department of Education interprets a child's difficulties with "recoupment" to be an aspect of "significant regression". Specifically, significant regression and recoupment consist of the following inter-related elements:

- (1) the loss of performance levels that were attained before a break in service,
- (2) the child's limited learning rate, which lengthens the amount of time the child requires to review and/or relearn previously attained objectives, and
- (3) the fact that the time for that child to accomplish such recoupment is greater than the period of time the school district allows all other children for review and/or relearning.

If the Team determines a child is eligible for ESY based on substantial regression and greater than usual time to recoup (4-8 weeks) discuss the services necessary for the child to **avoid substantial** regression.

- Since ESY services are proposed in order to avoid substantial regression, the portion of the child's IEP for ESY services may differ somewhat from the portion of the IEP that governs the provision of services for the regular school year.
- *It is . . . reasonable for an extended school year IEP to concentrate on: (1) the areas in which the child may experience regression, or (2) skills or programs that are not academic but are needed so that regression does not occur in academics.* (Citation omitted) Myers, EHLR 213:255

Other criteria to consider in making a determination for ESY programming:

From: *Department of Education's Question and Answer Guide on Special Education Extended School Year Programs*

Any decision regarding needed ESY programming must take into account the child's history of significant regression and limited recoupment capability. In other words, a child's Team must look backward and forward when considering the need for ESY programming.

In addition to significant regression and/or limited recoupment, courts have set forth other ESY criteria to be applied by a Team, as follows:

- the degree of the child's impairment
- the parents' ability to provide structure at home
- the child's rate of progress
- the child's specific behavior and/or physical problems
- the availability of alternative resources
- the child's ability to interact with non-disabled children
- the specific curricular areas in which the child needs continuing attention
- the vocational and transition needs of the child
- whether the service requested is "extraordinary" rather than usual in consideration of the child's condition.

Only when all factors are considered together by the child's Team can a determination be made as to how much service will be offered.

If the Team determines a child is eligible for ESY the team shall:

Individually review each goal area **and as each goal is reviewed consider and determine the following with the above criteria in mind.**

If a student:

- 1.) Is not eligible for ESY services to maintain acquired skills achieved on this goal during the regular school year, STOP and proceed to the next goal if applicable.**

- 2.) **Is eligible for ESY services to maintain acquired skills achieved on this goal during the regular school year, PROCEED to step three.**
- 3.) **Consider personnel to provide the service by thinking about the Least Restrictive Environment:**

Least to Most Restrictive:

- ☐ **The student maintains the skill/s through specialized instruction from a special education teacher.**
- ☐ **The student maintains the skill/s through consultation from a related service provider to a special education teacher.**
- ☐ **The student maintains the skill/s through direct service from a related service provider.**

Receiving related services during the regular school year does not equal related services during ESY. There is not a standard formula (e.g. half of the related service for ESY). The decision is made on an individual basis for each student.